

# Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Jim Green, Project Manager

Public Notice Date: August 31, 2006 Expiration Date: September 29, 2006

Reference: 200501291

Name: Sierra Pacific Industries, Inc.

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Sierra Pacific Industries, Inc.

Mr. Randy Lilburn 301 Hagara Street

Aberdeen, Washington 98520 Telephone: (360) 532-2323

AGENT:

Geomatrix Consultants, Inc. Mr. K. Michael McDowell

6505 – 216<sup>th</sup> Street Southwest, Suite 100 Mountlake Terrace, Washington 98043 Telephone: (425) 697-4340, Ext. 2337

<u>LOCATION</u>: The project site is located in wetlands adjacent to Elliott Slough, a tributary to the Chehalis River, at Aberdeen, Washington. A small portion of the mitigation site is located in the Chehalis River and the remainder of the mitigation site is located in wetlands adjacent to the Chehalis River at Aberdeen, Washington.

<u>WORK</u>: The proposed project is to construct a stud mill. The stud mill will consist of multiple facilities including a sawmill, planer mill, dry kilns, logs decks to store logs, and a portal crane for unloading and transporting logs to the mill for processing. Work within U.S. Army Corps of Engineers (Corps) jurisdiction subject of this permit application includes the placement of fill material into 8.7 acres of wetlands on the project site (see sheets 5 and 6 of the attached drawing sheets for a description of the wetlands to be impacted). The proposed mitigation, which is also subject to Corps jurisdiction, is described below.

MITIGATION: Sierra Pacific Industries, Inc. has developed a proposed mitigation plan designed to compensate for the filling of 8.7 acres of wetlands. The mitigation will consist of removing an existing dike around a 22.2-acre parcel land just south of the existing Sierra Pacific mill and adjacent to the Chehalis River (see drawings sheets 7 through 13). Approximately 153,000 cubic yards of material will be excavated from the mitigation area to create intertidal areas, channels, and create and restore wetlands. Four tidal channels will be created within the 22.2-acre site, one of which will connect a separate 4.0-acre parcel of land southeast of the diked area via a box culvert under the existing road (see drawing sheet 11). The mitigation will include the removal of invasive and non-native species and planting native species (see drawing sheets 6, 12, and 13). The proposed mitigation plan is designed to create a total of 8.7 acres of wetland (intertidal habitat),

restore 17.5 acres of wetlands, and enhance 4.5 acres of wetlands. A total of 30.7 acres of wetland will be created, restored, and enhanced as a result of the project. The mitigation plan is designed to restore the degraded riparian area along the Chehalis River.

<u>PURPOSE</u>: The purpose of the proposed mill is to produce lumber for wood-frame construction in the residential building industry. The mill will produce 2x4 and 2x6 studs up to 10-feet in length.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. Coastal bull trout (Salvelinus confluentus), Steller sea lion (Eumetopias jubatus), Bald eagle (Haliaeetus leucocephalus), and the Marbled murrelet (Brachyramphus marmoratus), all listed as threatened in the state of Washington, occur in the proposed project area. In addition, critical habitat for bull trout has been designated. Informal consultation under Section 7 of the ESA has been initiated with the USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The Corps has determined that the proposal would not adversely affect EFH for federally-managed fisheries in Washington waters.

<u>CULTURAL RESOURCES</u>: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known cultural resource sites occur in the vicinity of the proposed project. Due to the project area's position in the landscape (i.e., adjacent to a river), there is the potential for unknown historic properties to occur in the project area. A cultural resource reconnaissance investigation is being required at this time.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider

and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under the authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternative analysis for any proposed discharge of dredged or fill material into waters of the United States.

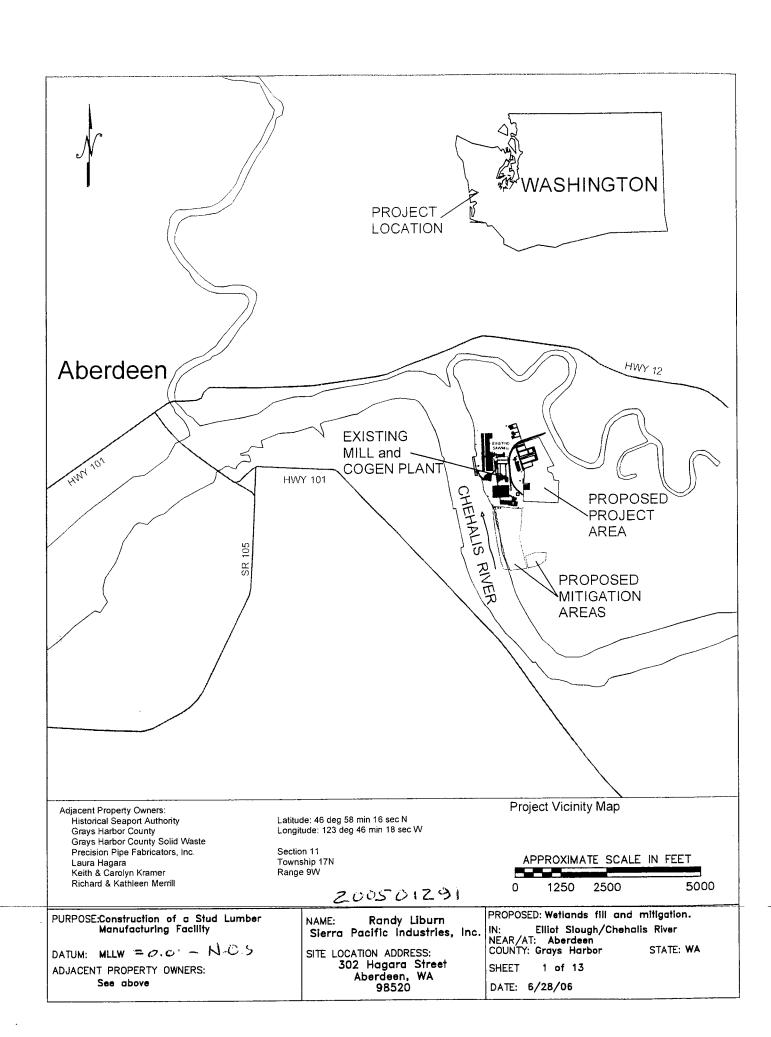
<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of a Shorelines Substantial Development Permit application being processed by Grays Harbor County.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to <a href="mailto:james.D.Green@usace.army.mil">james.D.Green@usace.army.mil</a>. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Sierra Pacific Industries, 200501291

Encl Drawings (13)



#### **OVERALL PROJECT NARRATIVE**

Sierra Pacific Industries (SPI) is proposing to build a stud mill facility for producing studs for the construction industry throughout the United States. This mill will be optimized to handle small logs and will produce only studs in sizes 2 by 4 and 2 by 6 up to approximately 10 feet long. The stud mill will primarily use logs delivered to the existing mill as part of timber purchases that are too small for the existing mill to use. The location of the proposed stud mill is illustrated on Sheet 1.

Project elements include:

Saw mill, Planer mill, Dry kilns, Log decks, and Portal crane

#### STUD MILL FACILITY

The stud mill facility will consist of a saw mill, planer mill, dry kilns, log decks to store logs, and a portal crane to move logs between delivery trucks and the log decks and from the log decks to the mill for processing. The basic layout of the proposed facility is shown on Sheet 3. The cogeneration plant, located on the site of the existing mill, is a wood-fired facility that produces electricity and steam. The electricity is used to run the existing lumber-manufacturing facility and will also be used by the proposed stud mill. Access to this power source is critical for the efficient operation of both the existing and proposed facilities.

#### STUD MILL PROJECT WETLAND SUMMARY

Nine wetlands were delineated on the proposed stud mill site: one Category I wetland and eight Category IV wetlands. The portion of the Category I wetland within property owned by SPI is about 18.5 acres, is located along the eastern half of the site, and continues off site to the east. This wetland is a mixed mature forested, scrub-shrub, and emergent wetland that is hydrologically connected to Elliot Slough. Approximately 0.2 acre of forested and 4.0 acres of scrub-shrub area within this Category I wetland would be impacted by the proposed stud mill development.

The remaining eight wetlands are scattered throughout the northwestern portion of the site and combined are 6.37 acres, some of which are not on SPI property or would not be affected by the project. The other wetlands to be affected by the project are located on residential lots, including some wetlands extending under houses on pilings. Approximately 4.5 acres of the Category IV wetlands would be impacted by the stud mill development (Sheet 4).

Adjacent Property Owners:
Historical Seaport Authority
Grays Harbor County
Grays Harbor County Solid Waste
Precision Pipe Fabricators, Inc.
Laura Hagara
Keith & Carolyn Kramer
Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MILLW = 0.0 - N. U.S.
ADJACENT PROPERTY OWNERS:

See above

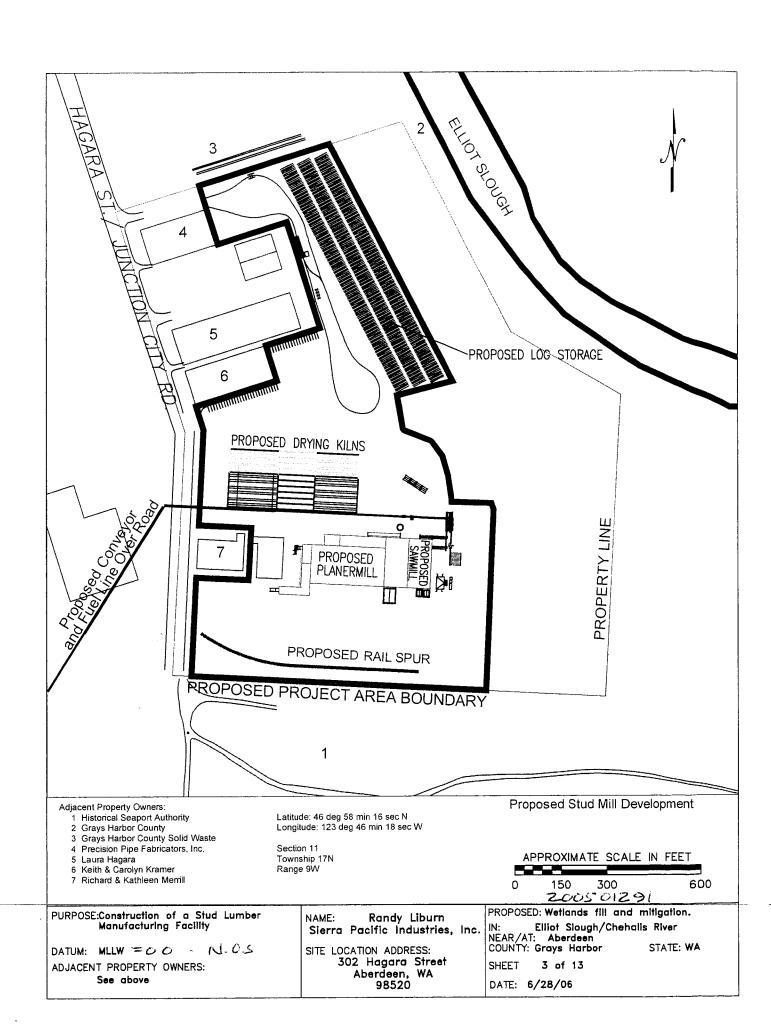
NAME: Randy Liburn Sierra Pacific Industries, Inc.

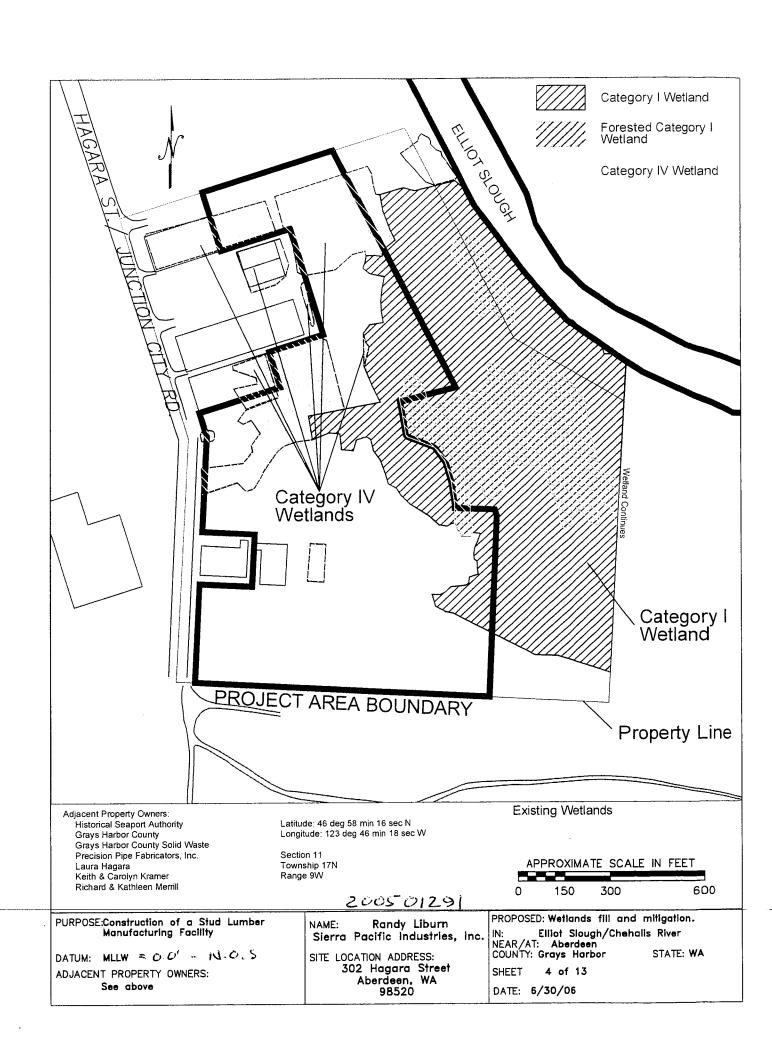
SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520 200501291

PROPOSED: Wetlands fill and mitigation.

IN: Elliot Slough/Chehalis River
NEAR/AT: Aberdeen
COUNTY: Grays Harbor STATE: WA

SHEET 2 of 13 DATE: 6/23/06





#### STUD MILL PROJECT SUMMARY

Construction of the stud mill facility will require demolition of numerous existing structures scattered around the project site. This area was a mixed development area that included residential housing, commercial, and light-manufacturing operations. Most of these structures are in ill repair and are derelict. Some structures that have posed a particular safety hazard have already been demolished. Development of the site for the stud mill facility will include filling the site to bring the buildings above the 100-year flood elevation and to facilitate stormwater drainage and management. Construction of the stud mill facility will also be supported by the extension of water, sewer, power, and steam utilities onto the site to support the industrial operations. Buildings and other mill structures and equipment may be supported on spread footings and/or piling, depending on the results of geotechnical investigations regarding the nature of soils on the site. The saw mill/planer mill complex will be housed in a single, large building. The dry kilns will be housed in a separate building structure. These two buildings are the main buildings on the site. In addition to the buildings, most of the site will be covered in impervious surface for movement of trucks and for temporary storage of stacked product in various stages of processing. A rail spur will also be extended onto the site from existing rail lines serving the existing lumber mill. A portal crane will be used to manage logs delivered to the site and the log decks, which are estimated to cover approximately 30 percent of the 26.2-acre development area. Conveyors and other support equipment will link the buildings for moving sawdust and wood chips.

#### STUD MILL IMPACT SUMMARY

Approximately 70 percent of the 26.2-acre development will be covered with impervious surfaces (asphalt paving or roofing). The log deck area (approximately 30 percent of the development area) will be unpaved. A total of 18.34 acres of impervious surfaces will be created. It is anticipated that stormwater will be discharged to Elliot Slough following appropriate treatment. The site layout has been adjusted several times to reduce the mill footprint, based on consideration of both wetland impacts and minimizing impervious surfaces. All paved areas will be cleaned frequently to control wood and other debris in support of stormwater management.

The project will require filling 8.7 acres of wetlands that exist on this site. Based on limitations for the minimum acreage and layout required for a feasible stud mill development, conceptual project plans require that 0.2 acre of forested Category I wetland be filled, along with approximately 4.0 acres of scrub-shrub or emergent Category I wetland, and approximately 4.5 acres of Category IV wetlands (Sheet 4).

Adjacent Property Owners: Historical Seaport Authority Gravs Harbor County Grays Harbor County Solid Waste Precision Pipe Fabricators, Inc. Laura Hagara Keith & Carolyn Kramer Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW =0.0 - NI.0.5 ADJACENT PROPERTY OWNERS:

See above

NAME: Randy Liburn Sierra Pacific Industries, inc.

SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520

200501291

PROPOSED: Wetlands fill and mitigation. Elliot Slough/Chehalis River NEAR/AT: Aberdeen COUNTY: Grays Harbor

STATE: WA

5 of 13 SHEET

DATE: 6/23/06

### STUD MILL PROPOSED MITIGATION SUMMARY

To mitigate for the loss of wetlands, SPI has developed a Conceptual Mitigation Plan (Geomatrix, 2006). The objective of the Conceptual Mitigation Plan is to fully compensate for the proposed filling of wetlands within the proposed footprint for the stud mill site. Within this objective, this plan includes creation and enhancement of intertidal and freshwater wetlands that are functional within a relatively short amount of time after construction. An area has been identified as the mitigation site (Sheets 7 through 13), which is located adjacent to the Chehalis River. In this area, the Chehalis River is brackish and tide-dominated. The plan proposes to remove the existing levee that is part of the 22.2-acre parcel just south of the existing mill. Several tidal channels will be created within the 22.2 acres, one of which will connect the 4.0-acre parcel southeast of the diked area via a box culvert under the existing road (Sheet 11). No impervious surfaces are planned in the mitigation area.

Construction of the proposed mitigation would create a total of 8.7 acres of wetland (intertidal habitat), rehabilitate 17.5 acres of wetland, and enhance 4.5 acres of wetland. Thus, a total of 30.7 acres of wetland will be created, rehabilitated, and enhanced as a result of the project.

#### STUD MILL PROJECT IMPACT SUMMARY

Wetland Type	Impact Type	Wetland Impacts (Acres)
Category I (forested)	Fill for mill development	0.2
Category I (emergent/scrub-shrub)	Fill for mill development	4.0
Category IV (emergent)	Fill for mill development	4.5
	Total Impact Area	8.7

Adjacent Property Owners: Historical Seaport Authority Grays Harbor County Grays Harbor County Solid Waste Precision Pipe Fabricators, Inc. Laura Hagara Keith & Carolyn Kramer Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W

200501291

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW  $=0.0^{\circ} - 1.0.5$ .

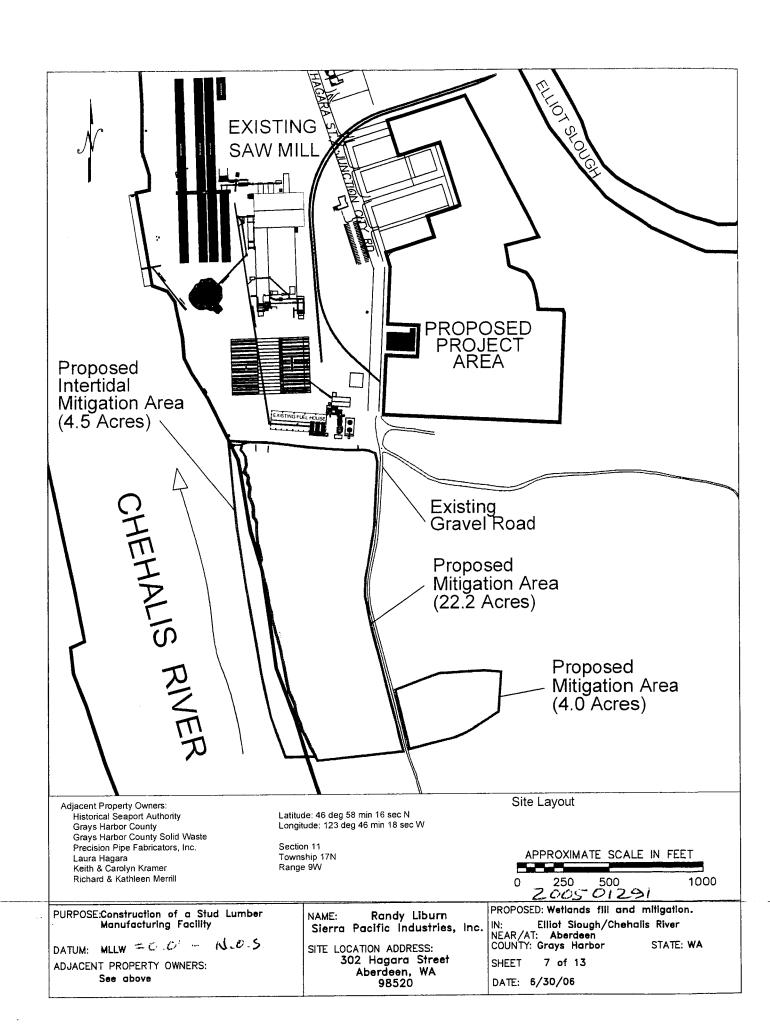
ADJACENT PROPERTY OWNERS: See above

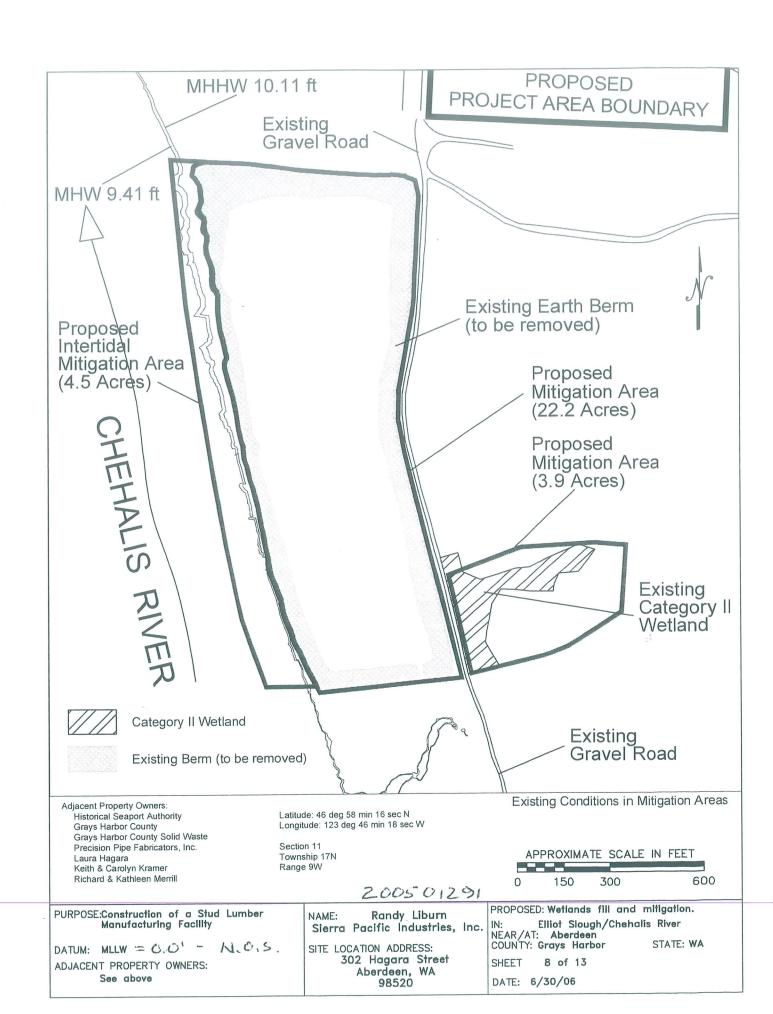
NAME: Randy Liburn Sierra Pacific Industries, Inc.

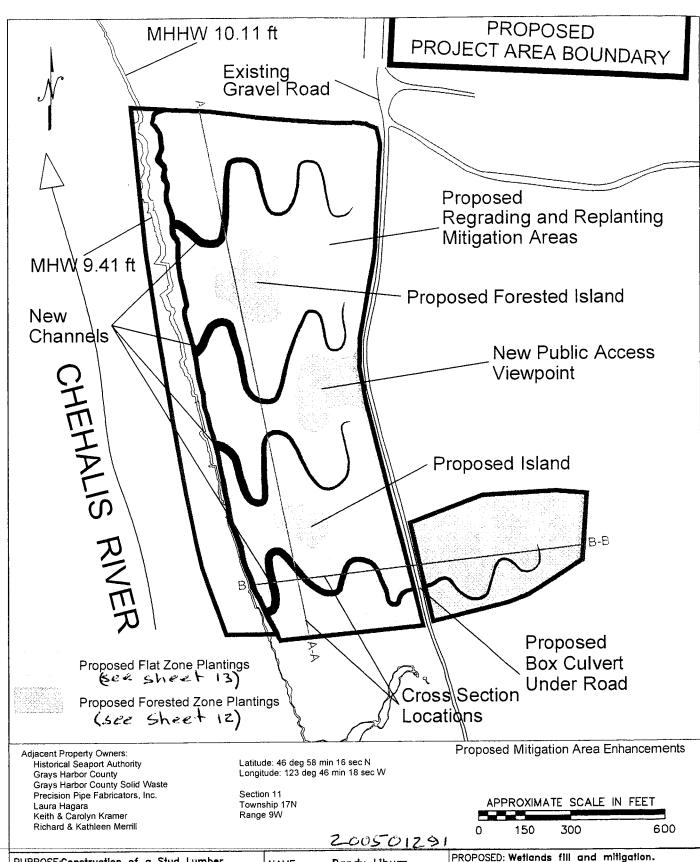
SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520

PROPOSED: Wetlands fill and mitigation. Elliot Slough/Chehalis River NEAR/AT: Aberdeen COUNTY: Grays Harbor STATE: WA

6 of 13 SHEET DATE: 6/30/06







PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW = 0.0' - N-0.5
ADJACENT PROPERTY OWNERS:

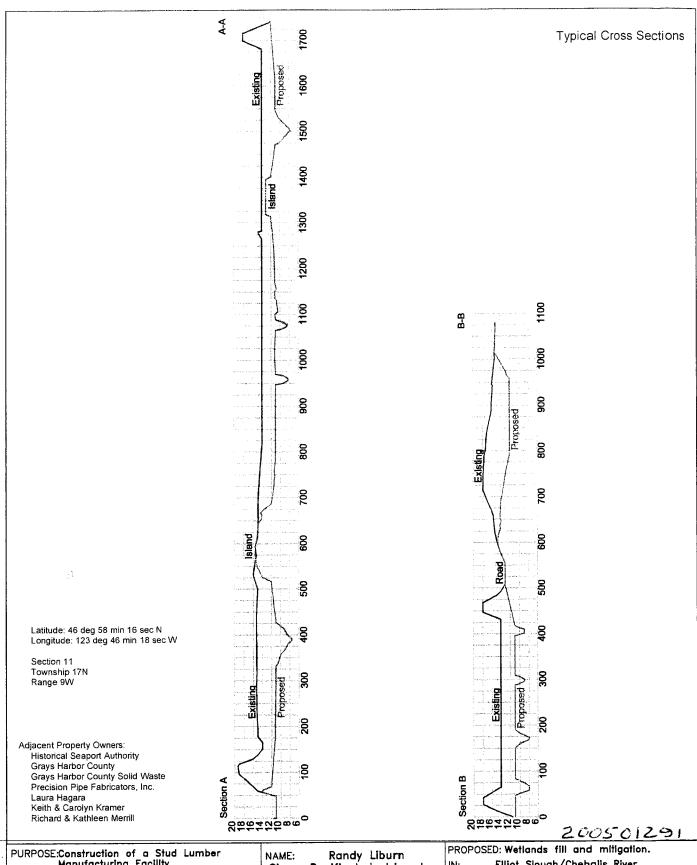
See above

NAME: Randy Liburn Sierra Pacific Industries, Inc.

SITE LOCATION ADDRESS:
302 Hagara Street
Aberdeen, WA
98520

PROPOSED: Wetlands fill and mitigation.
IN: Elliot Slough/Chehalis River
NEAR/AT: Aberdeen
COUNTY: Grays Harbor STATE: WA

SHEET 9 of 13 DATE: 6/28/06



PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW = D.D' - N.O.S.

ADJACENT PROPERTY OWNERS:

See above

Sierra Pacific Industries, Inc.

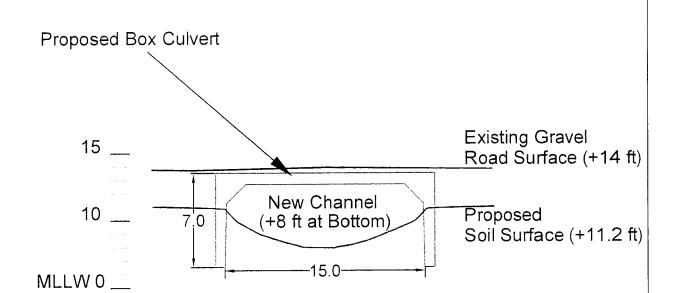
SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520

IN: Elliot Slough/Chehalis River NEAR/AT: Aberdeen COUNTY: Grays Harbor STATE

STATE: WA

10 of 13 SHEET

DATE: 6/23/06



Adjacent Property Owners:
Historical Seaport Authority
Grays Harbor County
Grays Harbor County Solid Waste
Precision Pipe Fabricators, Inc.
Laura Hagara
Keith & Carolyn Kramer
Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W Proposed Box Culvert

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW = O.C' - N.CAS.
ADJACENT PROPERTY OWNERS:

See above

NAME: Randy Liburn Sierra Pacific Industries, Inc.

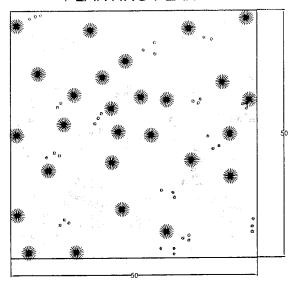
SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520 200501291

PROPOSED: Wetlands fill and mitigation.
IN: Elliot Slough/Chehalls River
NEAR/AT: Aberdeen
COUNTY: Grays Harbor STATE: WA

SHEET 11 of 13 DATE: 6/30/06

### **FOREST ZONE**

# TYPICAL PLANTING PLAN



#### CANDIDATE LIST OF PLANT SPECIES

TREES SCIENTIFIC NAME	COMMON NAME	SIZE	TYPICAL SP	ACING				
Picea sitchensis	SITKA SPRUCE		5 gal	20 ft OC				
Salix lasiandra	PACIFIC WILLOW		36" Slip	8 ft OC				
Alnus rubra	RED ALDER		1 gal	8 ft OC				
SHRUBS								
Salix s couleriana	SCOULER WILLOW		36" slip	8 ft OC				
Ribes divaricalum	WAX CURRANT		1 gal	8 ft OC				
Rubus spectabilis	SALMONBERRY		1 gal	8 ft OC				
HERBS								
Carex obnupts	SLOUGH SEDGE		1 gal	8 ft OC				
Juncus effuses	SOFT RUSH		1 gal	8 ft OC				

---- Wetland Hydroseed Mix

Adjacent Property Owners:
Historical Seaport Authority
Grays Harbor County
Grays Harbor County Solid Waste
Precision Pipe Fabricators, Inc.
Laura Hagara
Keith & Carolyn Kramer
Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W Typical Forested Zone Planting Plan

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW = O.O' - N.O.S.

ADJACENT PROPERTY OWNERS:

See above

NAME: Randy Liburn Sierra Pacific Industries, Inc.

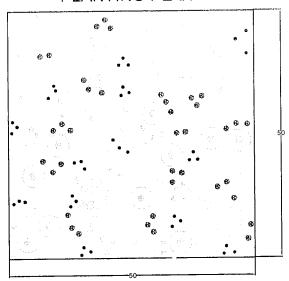
SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520 200501291

PROPOSED: Wetlands fill and mitigation.
IN: Elliot Slough/Chehalls River
NEAR/AT: Aberdeen
COUNTY: Grays Harbor STATE: WA

SHEET 12 of 13 DATE: 6/28/06

## FLAT ZONE

# TYPICAL PLANTING PLAN



## CANDIDATE LIST OF PLANT SPECIES

-	TREES	SCIENTIFIC NAME	COMMON NAME	SIZE	TYPICAL SP	ACING
		Picea sitchensis	SITKA SPRUCE		5 gal	20 ft OC
		Fraxinus lalifolia	OREGON ASH		5 gał	10 ft OC
;	SHRUBS	3				
	•	Comus sericea	RED-OSIER DOGWOOD		1 gal	8 ft OC
		Salix s couleriana	SCOULER WILLOW		36" slip	8 ft OC
		Ribes divaricatum	WAX CURRANT		1 gal	8 ft OC
	<b>&amp;</b>	Myrica californica	PACIFIC WAX MYRTLE		1 gal	8 ft OC
	HERBS					
	S	Carex obnupta	SLOUGH SEDGE		1 gal	8 ft OC
	P.——	Juncus effuses	SOFT RUSH		1 gal	8 ft OC

---- Welland Hydroseed Mix

Adjacent Property Owners:
Historical Seaport Authority
Grays Harbor County
Grays Harbor County Solid Waste
Precision Pipe Fabricators, Inc.
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Keith & Carolyn Kramer
Richard & Kathleen Merrill

Latitude: 46 deg 58 min 16 sec N Longitude: 123 deg 46 min 18 sec W

Section 11 Township 17N Range 9W Typical Flat Zone Planting Plan

200501291

PURPOSE:Construction of a Stud Lumber Manufacturing Facility

DATUM: MLLW =  $\mathcal{O}$ ,  $\mathcal{O}$  -  $\mathcal{O}$  -  $\mathcal{O}$  S, ADJACENT PROPERTY OWNERS:

See above

NAME: Randy Liburn Sierra Pacific Industries, Inc.

SITE LOCATION ADDRESS: 302 Hagara Street Aberdeen, WA 98520 PROPOSED: Wetlands fill and mitigation.

IN: Elliot Slough/Chehalis River

NEAR/AT: Aberdeen COUNTY: Grays Harbor

STATE: WA

SHEET 13 of 13 DATE: 6/28/06



# STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

## STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: August 31, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501291 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator Department of Ecology SEA Program Post Office Box 47600 Olympia, Washington 98504-7600